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Item Number - 127

DOCKET NO. 52852

APPLICATION OF TERRA	§	PUBLIC UTILITY COMMISSION
SOUTHWEST, INC. AND UNDINE	§	
TEXAS, LLC FOR SALE, TRANSFER,	§	OF TEXAS
OR MERGER OF FACILITIES AND	§	
CERTIFICATE RIGHTS IN DENTON	§	
COUNTY		

**APPLICANT'S RESPONSE TO ORDER NO. 26 REQUIRING CLARIFICATION ON
NOTICE**

TO THE HONORABLE ADMINISTRATIVE LAW JUDGE:

COMES NOW, Applicant Undine Texas, LLC ("Undine") and files its Response to ALJ Order No. 26 Requiring Clarification on Notice at Dkt. No. 52852-126 in the above-referenced matter. Attached hereto as Exhibit "A" is the Affidavit of Carey Thomas attesting there are no owners of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified. Consequently, there was no owner to which to provide notice and therefore no such notice was provided.

Respectfully submitted,

Gregg Law PC

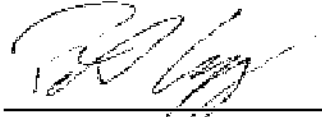


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DOCKET NO. 52852
CERTIFICATE OF SERVICE

The undersigned hereby certifies that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on June 8, 2023 in accordance with the Order Suspending Rules issued in Project No. 50664.



Peter T. Gregg

EXHIBIT A

DOCKET NO. 52852

APPLICATION OF TERRA	§	PUBLIC UTILITY COMMISSION
SOUTHWEST, INC. AND UNDINE	§	
TEXAS, LLC FOR SALE, TRANSFER,	§	OF TEXAS
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AFFIDAVIT OF CAREY THOMAS IN RESPONSE TO ORDER NO. 26 REQUIRING
CLARIFICATION ON NOTICE

STATE OF TEXAS §
COUNTY OF Harris §

BEFORE ME, the undersigned notary, personally appeared Carey Thomas, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

“My name is Carey Thomas. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.

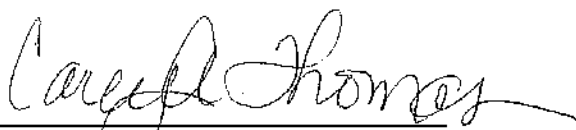
I am the Senior Vice President of Undine Texas, LLC (Undine), the Applicant in the above-captioned matter.

Pursuant to Order No. 26 issued by ALJ in this matter, by June 8, 2023, Terra Southwest, Inc. and Undine Texas, LLC must file an affidavit that notice has been mailed by first-class mail to each owner of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified according to the most current tax appraisal rolls of the applicable central appraisal district at the time the Commission received the application for the STM. Further, Terra Southwest and Undine must supplement their proof of notice by providing a copy of applicable appraisal district maps overlaid with the requested area, a list of the landowners with properties wholly or partially in the requested area, and the acreage owned by each listed owner.

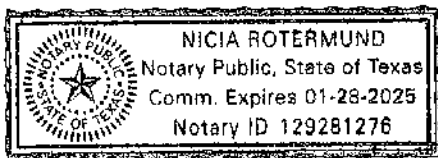
If there are no landowners with a tract of land that is at least 25 acres and is wholly or partially included in the requested area, Terra Southwest and Undine must file an affidavit confirming the same.

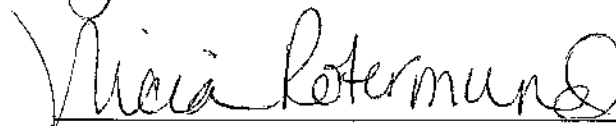
There are no owners of a tract of land that is at least 25 acres and is wholly or partially included in the area proposed to be certified. Accordingly, there was no owner to which to provide notice and therefore no such notice was provided.”

FURTHER AFFIANT SAYETH NOT.


Carey Thomas

SWORN AND SUBSCRIBED TO BEFORE ME by Carey Thomas, Senior Vice President
of Undine Texas, LLC, on this 6th day of June, 2023.




Nicia Rotermund
Notary Public
State of Texas